

REMARKS

The present Amendment amends claims 1 and 11-13 and leaves claims 2-10 unchanged. Therefore, the present application has pending claims 1-13.

The drawings stand objected to under 37 CFR §1.83(a) as allegedly not illustrated all of the elements recited in the claims. Amendments were made to the claims to more clearly describe the features of the present invention as illustrated in Fig. 1. Thus, Fig. 1 now illustrates all of the features now recited in the claims. Therefore, this objection is overcome and should be withdrawn.

The specification stands objected to under 37 CFR §1.75(d)(1) as allegedly not describing all of the elements recited in the claims. Amendments were made to the claims to more clearly describe the features of the present invention as illustrated in Fig. 1 and as discussed in the corresponding portions of the specification. Thus, the specification now describes all of the features now recited in the claims. Therefore, this objection is overcome and should be withdrawn.

Claims 1-13 stand rejected under 35 USC §112, first paragraph as allegedly failing to comply with the written description requirement. Specifically, the Examiner alleges that the specification does not describe all of the elements recited in the claims. Applicants do not agree. Amendments were made to the claims to more clearly describe the features of the present invention as illustrated in Fig. 1 and as discussed in the corresponding portions of the specification. Thus, the specification now describes all of the features now recited in the claims in a manner to convey to one of ordinary skill in the art that the inventors had possession of the claimed

invention at the time the application was filed. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-13 stand rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Various amendments were made throughout claims 1-13 so as to bring them into conformity with the requirements of 35 USC §112, second paragraph. Therefore, Applicants submit that this rejection overcome and should be withdrawn.

Amendments were made to claims 1-13 so as to overcome the objections noted by the Examiner in the Office Action.

The Examiner's cooperation is respectfully requested to contact Applicants' Attorney by telephone should any further indefinite matters be discovered so that appropriate amendments may be made.

Claims 1-8, and 11-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,484,261 (Wiegel) in view of U.S. Patent No. 5,999,979 (Vellanki et al.) and further in view of U.S. Patent No. 6,675,193 (Slavin); claim 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wiegel, Vellanki et al. and further in view of U.S. Patent Publication No. 2003/0033418 (Young et al.); and claim 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Wiegel, Vellanki et al. and further in view of U.S. Patent No. 5,996,025 (Day et al.). These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 1-13 are not taught or

suggested by Wiegel, Vellanki, Slavin, Young and Day whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

Amendments were made to claims 1-13 to more clearly describe features of the present invention. Particularly amendments were made to the claims to more clearly recite features of the present invention not taught or suggested by Wiegel, Vellanki, Slavin, Young and Day whether taken individually or in combination with each other as suggested by the Examiner.

The present invention as now recited in the claims is directed to a stream server apparatus connected to a first network and a second network. The stream apparatus is connected to a first client apparatus connected to said first network via a first path and a second client apparatus connected to said second network via a second path through said first network and a firewall apparatus and via a third path without a firewall apparatus.

According to the present invention the stream server apparatus includes a first interface which transmits and receives control request packets and data packets to and from said first client apparatus via the first path and being capable of transmitting and receiving control request packets to and from said second client apparatus via said second path, a second interface which transmits and receives data packets to and from the second client apparatus via the third path, a stream transport management module which specifies said first interface or said second interface in accordance with a network attribute of the first client apparatus and the second client apparatus, and a process module which executes a communication

process based on communication protocols related to said first and second client apparatuses via said first interface or the second interface.

Thus, the object of the present invention is to prevent illegal accesses to the stream server and perform stream data distribution to clients both in a local area network (LAN) and on the internet at the same stream data distribution performance. Attention is directed to Fig.1 of the present application. In order to achieve the above object according to the present invention, the stream server apparatus 105 performs communications (based on a control protocol, a stream transport protocol and a bandwidth management protocol) with the client apparatus 101a connected via LAN 102a, without involvement of the firewall apparatus 104. As per the present invention the stream server apparatus 105 performs communications with the client apparatus 101b connected via the Internet 102d using the network interface unit 113a for communications based upon the control protocol via the firewall apparatus 104, and using the network interface unit 113b for stream data distribution based upon the stream transport protocol without involvement of the firewall apparatus 104.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, the above described features of the present invention as now more clearly recited in the claims are not taught or suggested by Wiegel, Vellanki, Slavin, Young and Day whether taken individually or in combination with each other as suggested by the Examiner in the Office Action.

Wiegel establishes a representation of an abstract network security policy. Thus, in Wiegel when the policy representation is saved, the script is translated into machine instructions that govern the operation of the network gateway and firewall. In Fig. 1, a simplified block diagram is disclosed.

Vellanki discloses a method in a computer network for automatically detecting a most advantageous protocol for communication by a client computer (abstract). In FIG. 1, some computer networks provided with firewall and proxies is disclosed. With reference to FIG. 1, through proxy 120, HTTP data, which may otherwise be blocked by firewall 108 for the purpose of security, may be transmitted between client computer 106 and server computer 104.

Slavin simply discloses client-server system in Fig. 2 thereof.

In Wiegel, communication in a local network for which the firewall is not used is disclosed. In Vellanki, communication either using a firewall or not using a firewall is disclosed. In Slavin, communication in the server-client system which does not include or use a firewall is disclosed.

However, it is quite clear that each of these references do not teach or suggest a stream server apparatus 105 which judges whether a source device is connected to a LAN or internet based on the address, and when the source device is connected with a LAN, the stream server apparatus 105 distributes data via the route for which the firewall is not used, and when the source device is connected with the internet, the stream server apparatus 105 distributes control information via the route for which the firewall is used, and distributes data via the route for which the firewall is not used as in the present invention as recited in the claims.

More specifically each of the above described references do not teach or suggest that control information is transmitted via the route for which the firewall is used, and data is transmitted via the route for which the firewall is not used in certain transmission sequences as in the present invention as recited in the claims.

The above described features of the present invention as recited in the claims are also not taught or suggested by Young and Day.

Thus, Wiegel, Vellanki, Slavin, Young and Day fail to teach or suggest that the stream apparatus is connected to a first client apparatus connected to said first network via a first path and a second client apparatus connected to said second network via a second path through said first network and a firewall apparatus and via a third path without a firewall apparatus as recited in the claims.

Further, Wiegel, Vellanki, Slavin, Young and Day fail to teach or suggest a first interface which transmits and receives control request packets and data packets to and from said first client apparatus via the first path and being capable of transmitting and receiving control request packets to and from said second client apparatus via said second path as recited in the claims.

Still further, Wiegel, Vellanki, Slavin, Young and Day fail to teach or suggest a second interface which transmits and receives data packets to and from the second client apparatus via the third path, a stream transport management module which specifies said first interface or said second interface in accordance with a network attribute of the first client apparatus and the second client apparatus, and a process module which executes a communication process based on communication

protocols related to said first and second client apparatuses via said first interface or the second interface as recited in the claims.

Therefore, as is quite clear from the above, the features of the present invention as now more clearly recited in each of the claims are not taught or suggested by Wiegel, Vellanki, Slavin, Young and Day whether taken individually or in combination with each other or any of the other references of record. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejections of claims 1-13 as being unpatentable over the combinations of Wiegel, Vellanki, Slavin, Young and Day is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-13.

In view of the foregoing amendments and remarks, applicants submit that claims 1-13 are in condition for allowance. Accordingly, early allowance of claims 1-13 is respectfully requested.

U.S. Application No. 10/743,729

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 500.43372X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

A handwritten signature in black ink, appearing to be 'C. Brundidge', written over a horizontal line.

Carl I. Brundidge
Registration No. 29,621

CIB/cb
(703) 684-1120